



Attorney Ref: 3300-2

AF/2662  
F16

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of:

Ben Bacque et al.

Serial No. 09/199,786

Filed: November 25, 1998

For: CONTROLLING ATM LAYER TRANSFER CHARACTERISTICS BASED ON PHYSICAL LAYER DYNAMIC RATE ADAPTATION

Group Art Unit 2662  
Examiner: Joe Logsdon

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

RECEIVED

Hon. Commissioner of Patents and Trademarks  
Washington, D. C. 20231

AUG 11 2003

Technology Center 2600

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated May 5, 2003 of the Primary Examiner finally rejecting Claims 1-24.

The Appeal fee of \$320.00 is:

- Enclosed: Check - \$430.00  
(\$320.00/appeal fee: \$110.00 extension fee)
- Not required (fee paid in prior appeal in this application with no Board decision on the merits.)
- Petition is hereby made to the Commissioner of Patents and Trademarks to extend the period for filing this Notice of Appeal for one month, so as to expire September 5, 2003. The fee for this extension is included in the attached check.

The Commissioner is hereby authorized to charge any additional fees which may be required (or credit any overpayment) to Deposit Account No. 26-0090.

Respectfully submitted,

Jim Zegeer, Reg. No. 18,957  
Attorney for Applicants

08/07/2003 EFLORES 00000017 09199786

01 FC:1401  
02 FC:1251

320.00 OP  
110.00 OP

Suite 108  
801 North Pitt Street  
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Telephone: 703-684-8333

Date: August 6, 2003

In the event this paper is deemed not timely filed, the applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 26-0090 along with any other additional fees which may be required with respect to this paper.